

Court of Appeals, Division One
Tax Appeal

1 CA-TX 14-0008

SCOTTSDALE 101 v. MARICOPA CO.

Appellate Case Information

Case Filed: 16-May-2014
Case Closed:

Dept/Composition
Department T

Consolidated with: 1 CA-TX 14-0003 1 CA-TX 14-0011 1 CA-TX 14-0012

Side 1. SCOTTSDALE 101 RETAIL, LLC, a Delaware limited liability company, Plaintiff/Appellant

(Litigant Group) SCOTTSDALE 101 RETAIL, LLC, a Delaware limited liability company

- Scottsdale 101 Retail LLC

Attorneys for: Plaintiff/Appellant

Brian W LaCorte, Esq. (AZ Bar No. 12237)

(Litigant Group) SCOTTSDALE 101 RETAIL LLC (from TX14-0008) - Same Attnys

- Scottsdale 101 Retail LLC

Side 2. MARICOPA COUNTY, a political subdivision of the State of Arizona, Defendant/Appellee

(Litigant Group) MARICOPA COUNTY, a political subdivision of the State of Arizona

- Maricopa County

Attorneys for: Defendant/Appellee

Roberta S Livesay, Esq. (AZ Bar No. 10982)

Jeffrey Lawrence Hrycko, Esq. (AZ Bar No. 23280)

CASE STATUS

May 19, 2016....Pending Closure

PREDECESSOR CASE(S)	Cause/Charge/Class	Judgment/Sentence	Judge, Role <Comments>	Trial	Dispo
MAR TX2009-000091	Property Tax		Dean M Fink, Authoring Judge of Order		

OPEN DUE DATE

Stay Request (re: Writ of Certiorari) due

Due By:

Friday, June 3, 2016

Re: Minute Letter of ASC: Petition for Review DENIED

2 PENDING MATTERS

General Motion

Filed: 14-Oct-2015

Statement of Costs (Appellant)

02/Nov/2015 FILED: Objections to Plaintiffs-Appellants' Statement Of Costs (Appellee)

General Motion

Filed: 14-Oct-2015

* Application for Award of Attorneys' Fees on Appeal; Affidavit of Brian W. LaCorte in Support of Application for Award of Attorneys' Fees on Appeal (Appellant)

CASE DECISION

29-Sep-2015 **OPINION**

Kent Cattani.....Author
Lawrence Winthrop.....Concur
Randall Howe.....Concur

Filed: **29-Sep-2015**

Mandate:

Decision Disposition

Reversed
Remanded

DECISION APPLIES TO THE FOLLOWING OTHER CASE(S)

1 CA-TX 14-0003	SCOTTSDALE/101 et al. v. MARICOPA CO.
1 CA-TX 14-0011	VESTAR v. MARICOPA
1 CA-TX 14-0012	VESTAR v. MARICOPA

Court of Appeals, Division One
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1 CA-TX 14-0008

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36 PROCEEDING ENTRIES

1. 16-May-2014 FILED: Index of Record, Notice of Appeal Filed 4/9/14
2. 16-May-2014 FILED: e-Record on Appeal: Instruments/Minute Entries
3. 20-May-2014 FILED: Notice to Counsel re: Appellant's Fee/Brief due
4. 6-Jun-2014 FILED: Notice of Paying Filing Fee; Certificate of Service for Notice of Paying Filing Fee (Appellant)
5. 10-Jun-2014 RECEIPT No.: 2014-00717 ; \$280.00, Authorization: 60017342686, Applied to: SCOTTSDALE 101 RETAIL, LLC, a Delaware limited lia - Class A Filing Fee (\$280.00) Paid for: Ballard Spahr LLP - By Integrated Resource Systems IN
6. 18-Jun-2014 FILED: Stipulated Motion to Consolidate; Certificate of Service of Stipulated Motion to Consolidate (Appellant)
7. 23-Jun-2014 ORDERED: consolidating case 1 CA-TX 14-0003 with 1 CA-TX 14-0008. Case no. 1 CA-TX 14-0003 is designated the primary number. FURTHER the answering brief shall be filed on/before 8/15/14 and the reply brief shall be filed on/before 9/24/14. Absent compelling circumstances, no further extensions will be granted. Melina Brill ProTem Judge - Author
8. 15-Aug-2014 FILED: Answering Brief Of Defendant-Appellee Maricopa County; Certificate of Compliance for Answering Brief; Certificate of Service for Answering Brief (Appellee)
9. 24-Sep-2014 FILED: Appellants' Reply Brief; Certificate of Compliance to Appellants' Reply Brief; Certificate of Service to Appellants' Reply Brief (Appellant)
10. 24-Sep-2014 FILED: Request For Oral Argument; Certificate Of Service (Appellee)
11. 14-Oct-2014 FILED: Stipulated Motion to to Consolidate 1 CA TX 14-0012 INTO 1 CA TX 14-003 for Purposes of Appeal Only; Certificate of Service (Appellant)
12. 3-Nov-2014 FILED: Brief of Plaintiff/Appellant Vestar DRM-OPCO LLC; Certificate of Compliance for Brief of Plaintiff/Appellant Vestar DRM-OPCO LLC; Certificate of Service for Brief of Plaintiff/Appellant Vestar DRM-OPCO LLC (Appellant)
13. 14-Nov-2014 FILED: Answering Brief Of Defendant-Appellee Maricopa County; Certificate of Compliance-Answering Brief; Certificate of Service-Answering Brief (Appellee)
14. 25-Nov-2014 CLNDR: MONTHLY COURT CASE CALENDAR, Department T, 1-27-15, 10:15 am, COURTROOM 2.
15. 8-Dec-2014 ORDERED granting the requests for oral argument. Oral argument will be scheduled in the normal course of the court's civil appeals calendar. Counsel will be notified of the date. Hon Diane M Johnsen - Author
16. 8-Dec-2014 FILED: Stipulated Motion To Reschedule Oral Argument; Certificate of Service (Appellee)
17. 15-Dec-2014 ORDERED: Stipulated Motion To Reschedule Oral Argument; Certificate of Service (Appellee) = GRANTED/Oral Argument will be reset in due course. Hon Kent E Cattani Judge - Author
18. 17-Dec-2014 ORDERED: resetting oral argument on 2/10/15 at 10:00 am before Department B/T in Courtroom 2. Each side allocated twenty minutes. Hon Kent E Cattani Judge - Author
19. 19-Dec-2014 FILED: Return Receipt for Notice of Oral Argument , signed by Brian W LaCorte; Certificate of Service for Return Receipt for Notice of Oral Argument (Appellant)
20. 7-Jan-2015 FILED: Notice of Oral Argument
21. 12-Jan-2015 FILED: Amended Notice of Oral Argument
22. 14-Jan-2015 FILED: Amended Return Receipt For Notice Of Oral Argument; Certificate of Service (Appellee)
23. 14-Jan-2015 FILED: Return Receipt for Amended Notice of Oral Argument; Certificate of Service for Amended Return Receipt for Notice of Oral Argument (Appellant)
24. 27-Jan-2015 FILED: Memo, 1/27/15, to Clerk from Chief Judge, re: Judge Howe will substitute for Judge Swann
25. 10-Feb-2015 FILED: Sign-in Sheet/Case is Under Advisement (Dept B)
26. 29-Sep-2015 OPINION (Reversed, Remanded) Hon Kent E Cattani Judge - Author; Hon Lawrence F Winthrop - Concur; Hon Randall M Howe - Concur

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27.	29-Sep-2015	FILED: Opinion Distribution List
28.	14-Oct-2015	FILED: Statement of Costs; Certificate of Service of Statement of Costs (Appellant)
29.	14-Oct-2015	FILED: Application for Award of Attorneys' Fees on Appeal; Certificate of Service of Application for Award of Attorneys' Fees on Appeal; Affidavit of Brian W. LaCorte in Support of Application for Award of Attorneys' Fees on Appeal (Appellant)
30.	28-Oct-2015	FILED: ASC order filed 10/28/15 re: extending time for filing Petition for Review to 11/30/15
31.	2-Nov-2015	FILED: Objections to Plaintiffs-Appellants' Statement Of Costs; Certificate of Service (Appellee)
32.	2-Nov-2015	FILED: Response In Opposition To Application For Award Of Attorneys' Fees On Appeal; Certificate of Service (Appellee)
33.	9-Nov-2015	FILED: Reply in Support of Application for Award of Attorneys' Fees on Appeal; Certificate of Service of Reply in Support of Application for Award of Attorneys' Fees on Appeal (Appellant)
34.	30-Nov-2015	FILED: Email Notice from ASC re: Petition for Review filed 11/30/15; request for partial record
35.	20-May-2016	FILED: Letter from ASC, 5/20/16, re: Petition for Review DENIED on 5/19/16; Request for Attorneys' Fees (Appellants Scottsdale/101 Associates) GRANTED
36.	9-Sep-2016	FILED: ASC Order filed 9/9/16 re: remanding this matter to trial court to determine amount of attorneys' fees to be awarded to Appellants.